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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/941,863

08/30/2001

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EXAMINER

QUELLETTE, JONATHAN P

ART UNIT

PAPER NUMBER

3629

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DELIVERY MODE

07/05/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

**Application No.**

09/941,863

**Applicant(s)**

TAKAGI, TADAO

**Examiner**

Jonathan Ouellette

**Art Unit**

3629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 28 March 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-10, 14-20, 22-30 and 32 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 12 is/are allowed.
- 6) ☒ Claim(s) 1-10, 14-20, 22-30 and 32 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☒ Interview Summary (PTO-413)  
Paper No(s)/Mail Date 20070309
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Response to Amendment*

1. Claims 11, 13, 21, and 31 have been cancelled, and Claim 32 has been added; therefore, Claims 1-10, 12, 14-20, 22-30, and 32 are currently pending in application 09/941,863.

### *Claim Rejections - 35 USC § 112*

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. **Independent Claims 3-7, 15, 16, 23, 24, 29, and 30 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.**
4. Independent Claims 3, 5, 15, 16, 23, 24, and 29 are rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential steps, such omission amounting to a gap between the steps. See MPEP § 2172.01. The essential steps are not claimed that would be required to define the method as set forth in the preamble of Claim 3, 5, 15, 16, 23, 24, and 29. The claims do not complete any sort of repair step or element. The applicant should refer to claim 12, wherein the claim clearly defines repair confirmation, receipt (of product), and delivery. If Claim 4 were combined with the disclosure of independent Claim 3, the combined claims would be compliant.
5. Claims 4, 6, 7, and 30 are rejected, as they depend on rejected independent claims.

***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. **Claims 10, 20, and 28** are rejected under 35 U.S.C. 102(e) as being anticipated by **Wallis et al. (US 2001/20051884 A1)**.
8. As per **independent Claims 10, 20, and 28**, Wallis discloses a product maintenance method, comprising: receiving a repair request for a product from a terminal of a user who uses the product via the Internet; assigning a repair order ID corresponding to the repair request; and transmitting information indicating said repair order ID to the terminal of the user via the Internet (Fig.3-5, Para 0042-0045, warranty information is saved on network and accessible to all parties); storing a repair progress status for the product at each stage including a delivery preparation status in a storage device in correspondence to said repair order ID (Para 0042-0045, repair report created, and available to all users); and when an inquiry on the repair progress status is made from the terminal of the user by indicating said repair order ID via the Internet, obtaining the repair progress status corresponding to said repair order ID from said storage device and transmitting the repair progress status thus obtained to the terminal of the user via the Internet (Para 0042-0045, repair report).

***Claim Rejections - 35 USC § 103***

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
10. **Claims 1, 2, 8, 9, 14, 17, 18, 22, 25, and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wallis in view of Nelson (US 6,487,479 B1).**
11. As per **independent Claim 1**, Wallis discloses a product maintenance method, comprising: receiving access regarding a repair request for a product from a terminal of a user who uses the product via the Internet (abstract, Fig.3-5).
12. Wallis fails to expressly disclose a quote approval process such as: transmitting screen information regarding repair conditions set for repairing the product to the terminal of the user via the Internet; and receiving an agreement of the repair conditions and a repair request for the product from the terminal of the user via the Internet.
13. However, Nelson discloses providing a customer with a quote over the Internet that requires an approval before the repair work can be completed (Figs.5 and 6, C5-C6).
14. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included transmitting screen information regarding repair conditions set for repairing the product to the terminal of the user via the Internet; and receiving an agreement of the repair conditions and a repair request for the product from

the terminal of the user via the Internet, as disclosed by Nelson in the system disclosed by Wallis, for the advantage of providing a product maintenance method with the ability to increase customer service by obtaining approval before any repair work is done.

15. As per Claim 2, Wallis and Nelson disclose transmitting screen information for displaying an input screen that enables entry of user information including information with regard to a product to be repaired to the terminal of the user via the Internet; receiving the user information from the terminal of the user via the Internet; assigning a repair order ID that corresponds to the repair request is assigned; storing the user information in a storage device together with said repair order ID; and transmitting information that includes said repair order ID to the terminal of the user via the Internet (Wallis: Fig.3-5, Para 0042-0045).
16. As per **independent Claims 8, 17, and 25**, Wallis discloses a product maintenance method comprising: receiving a repair request for a product from a terminal of a user who uses the product via the Internet (abstract, Fig.3-5).
17. Wallis fails to expressly disclose a quote approval process such as: transmitting a repair cost estimate for the product for which the repair request has been received to the terminal of the user via the Internet; and obtaining a repair approval based upon said estimate from the user via the Internet.
18. However, Nelson discloses providing a customer with a quote over the Internet that requires an approval before the repair work can be completed (Figs.5 and 6, C5-C6).
19. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included transmitting a repair cost estimate for the product

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for which (Warranty information approval – cost would be zero) the repair request has been received to the terminal of the user via the Internet; and obtaining a repair approval based upon said estimate from the user via the Internet, as disclosed by Nelson in the system disclosed by Wallis, for the advantage of providing a product maintenance method with the ability to increase customer service by obtaining approval before any repair work is done.

20. As per Claims 9, 18, and 26, Wallis and Nelson disclose transmitting an estimate of a repair completion date to the terminal of the user together with said estimate for the repair cost (Wallis: Para 0044, repair report includes estimated time of completion).
21. As per **independent Claims 14 and 22**, Wallis discloses a product maintenance business system for offering product repair services, comprising: a server of a product maintenance business operator that is connected with a terminal of a product user, a server of a transport operator via the Internet, wherein said server of the product maintenance business operator executes: processing for displaying repair conditions set for a product on a homepage via the Internet; and processing for assigning a repair order number and notifying the product user of the repair order number via the Internet (Fig.3-5, Para 0042-0045, warranty information is saved on network and accessible to all parties).
22. Wallis fails to expressly disclose wherein the system is connected to a server of a repair fee collector via the Internet and processing for inputting information from the product user indicating an agreement of the repair conditions and storing said information in a storage device.

23. However, Nelson discloses being connected to a billing application on a server (C3 L8-18) and providing a customer with a quote over the Internet that requires an approval before the repair work can be completed (Figs.5 and 6, C5-C6).
24. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included wherein the system is connected to a server of a repair fee collector via the Internet and processing for inputting information from the product user indicating an agreement of the repair conditions and storing said information in a storage device, as disclosed by Nelson in the system disclosed by Wallis, for the advantage of providing a product maintenance method with the ability to obtain revenue from the system through billing operations, and further with the ability to increase customer service by obtaining approval before any repair work is done.
25. As per new Claim 32, Wallis fails to expressly disclose receiving an inquiry regarding repair cost for the product is made from the terminal of the user by indicating the repair order ID via the Internet, transmitting information regarding the repair cost for the product corresponding to the repair order ID to the terminal of the user via the Internet.
26. However, Nelson discloses wherein a user can request and receive repair cost information over the Internet. (Figs.5, 6, and 9).
27. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included receiving an inquiry regarding repair cost for the product is made from the terminal of the user by indicating the repair order ID via the Internet, transmitting information regarding the repair cost for the product corresponding to the repair order ID to the terminal of the user via the Internet, as disclosed by Nelson



in the system disclosed by Wallis, for the advantage of providing a product maintenance method with the ability to increase customer service by providing the user with all available information regarding the repair.

**28. Claims 19 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wallis in view of Nelson (US 6,487,479 B1), and further in view of Official Notice.**

29. As per Claims 19 and 27, Wallis and Nelson fail to expressly disclose wherein said repair cost includes fees for a price of a packing box delivered to the product user and fees for delivering the packing box and delivering the product to be repaired.

30. However, Nelson discloses providing a customer with a quote over the Internet (Figs.5 and 6), and Official Notice is given that it was obvious at the time the invention was made to include shipping and handling charging in web commerce billing systems, as shipping / handling is typically required when providing a service regarding products over the Internet.

31. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have included wherein said repair cost includes fees for a price of a packing box delivered to the product user and fees for delivering the packing box and delivering the product to be repaired in the system disclosed by Wallis, for the advantage of providing a product maintenance method with the ability to increase customer service by providing the customer with all the applicable fees when providing billing information.

*Allowable Subject Matter*

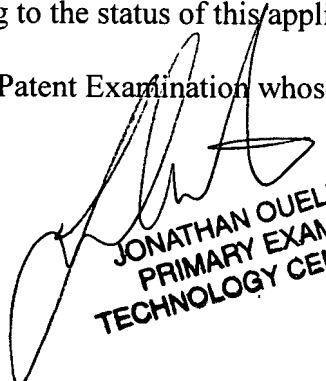
32. Claim 12 is considered by the Examiner to be allowable over the cited prior art.

*Response to Arguments*

33. Applicant's arguments filed 3/28/2007, with respect to Claims 1-10, 14-20, 22-30, and 32, have been considered but are moot in view of the new ground(s) of rejection.

*Conclusion*

34. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jonathan Ouellette whose telephone number is (571) 272-6807. The examiner can normally be reached on Monday through Thursday, 8am - 5:00pm.
35. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (571) 272-6812. The fax phone numbers for the organization where this application or proceeding is assigned (571) 273-8300 for all official communications.
36. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Office of Initial Patent Examination whose telephone number is (703) 308-1202.

  
JONATHAN OUELLETTE  
PRIMARY EXAMINER  
TECHNOLOGY CENTER 3600

June 21, 2007